

The Honorable Karen A. Overstreet
Chapter 11
Location: Seattle, Room 7206
Hearing Date: August 26, 2011
Hearing Time: 9:30 a.m.
Response Date: August 19, 2011

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In Re:

MERIDIAN MORTGAGE INVESTORS
FUND V, LLC;
et al.

Debtors.¹

Case No. 10-17952
(Substantively Consolidated)

APPLICATION FOR ALLOWANCE OF
ADMINISTRATIVE EXPENSE OF
COMMITTEE MEMBERS UNDER
11 U.S.C. § 503(b)(3)(F)

COME NOW Jane Pearson and Foster Pepper PLLC, counsel for the Meridian Official Consolidated Investors' Committee (the "Committee"), and on behalf of Committee members Craig Edwards, Joseph D. Franzi, Frank Mercker, Kevin Kennedy and Milton "Peter" A. Barrett (the "Applicants"), file this Application for Allowance of Administrative Expense of Committee Members under 11 U.S.C. § 503(b)(3)(F) (the "Application"), seeking reimbursement of the actual, necessary expenses of these Committee members incurred in the performance of their

¹ The Debtors are Meridian Mortgage Investors Fund V, LLC (Case No: 10-17952); Meridian Mortgage Investors Fund II, LLC (Case No. 10-17976); Meridian Mortgage Investors Fund VII, LLC (Case No: 10-17953); Meridian Mortgage Investors Fund VIII, LLC (Case No. 10-17958); Meridian Mortgage Investors Fund VI, LLC (Case No: 10-18729); Meridian Mortgage Investors Fund IX, LLC (Case No. 10-18727); Meridian Mortgage Investors Fund X, LLC (Case No: 10-18728); Meridian Real Estate Opportunity Fund I, LLC (Case No: 10-19645); Meridian Real Estate Opportunity Fund II, LLC (Case No: 10-19644); Meridian Mortgage Investors Fund I, LLC (Case No: 11-10830); Meridian Mortgage Investors Fund III, LLC (Case No: 11-10833); and MPM Investor Services Inc. (Case No: 11-10834). Pursuant to the Plan confirmation order entered June 22, 2011, the Cases have been substantively consolidated and Mark Calvert is the Liquidating Trustee.

APPLICATION FOR ALLOWANCE OF ADMINISTRATIVE
EXPENSE OF COMMITTEE MEMBERS - 1

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Committee duties, stating as follows.

1. On August 19, 2010, Craig Edwards, Joseph Franzi, as the representative of Cornerstone Alternative Fixed Income Fund, and Kevin Kennedy were appointed members of the Committee under 11 U.S.C. § 1102. Frank Mercker was appointed to the Committee on August 27, 2010, and Milton “Peter” A. Barrett was appointed on September 7, 2010².

2. On June 22, 2011, the Court entered an order confirming the plan proposed jointly by the Trustee and the Committee. The Effective Date of the plan is July 7, 2011. Pursuant to the plan, this Court has jurisdiction over this Application.

3. Bankruptcy Code § 503(b)(3)(F) authorizes the Court to approve as an administrative expense the “actual, necessary expenses ... incurred by a member of a committee appointed under section 1102 ... if such expenses are incurred in the performance of the duties of such committee.”

4. The Applicants are all members of a committee appointed under § 1102.

5. Each of the Applicants has submitted in support of this Application a declaration describing in detail the expenses for which they seek reimbursement, the amounts for which are summarized as follows:

Craig Edwards, Committee chair	\$2,361.98
Joseph D. Franzi	283.04
Frank Mercker	72.40
Kevin Kennedy	905.40
Milton “Peter” A. Barrett	<u>71.40</u>
TOTAL	\$3,694.22

6. The declarations reflect that the actual, necessary expenses for which the Applicants seek reimbursement consist primarily of mileage and parking. In performance of his

² The Committee has members in addition to the Applicants, but those members are not seeking reimbursement of the expenses they incurred as Committee members.

1 duties as Committee chair, Craig Edwards also incurred actual, necessary expenses for office
2 supplies, meals and snacks and a cell phone dedicated to Committee matters.

3 7. The Court should approve the Application because the expenses for which
4 reimbursement is requested are actual, necessary expenses incurred by the Applicants in the
5 performance of their duties as Committee members.

6 WHEREFORE, the Applicants request that the Court enter an order approving as
7 administrative expenses their actual, necessary expenses incurred in the performance of their
8 duties as Committee members in the total amount of \$3,694.22, and for such additional relief as
9 is just and equitable.

10 DATED this 5th day of August, 2011.

11 FOSTER PEPPER PLLC

12
13 /s/ Jane Pearson
14 Jane Pearson, WSBA #12785
15 Counsel for Meridian Official Consolidated
16 Investors' Committee
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